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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER HARPER, LEON JONATHAN	
			ART UNIT 2166	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/606,465	<b>Applicant(s)</b> POLSON ET AL.	
	<b>Examiner</b> Leon J. Harper	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16, 19-30, 32-34, 36-38, 40, 42 and 44-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-16, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 23-30, 32, 34, 36-38, 40, 42 and 44-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/26/2003</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed 2/13/2007 has been entered. Claims 1-6,9,10,23,24,30,32,37,40,42,46,56 and 59 have been amended. Claims 39,41 and 43 have been cancelled. No claims have been added. Accordingly, claims 1-16, 19-30, 32-34 and 36-38, 40, 42 and 44-59 are pending in this office action.

### ***Allowable Subject Matter***

Claims 9-16,19-20 are allowed.

### ***Claim Objections***

Claims 21,22 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Both claims 21 and 22 depend on claim 9. Claim 21 is a computer-readable media having computer instructions thereon which, when executed by a computer implement claim 9. Claim 22 is a media player application configure to perform the method of claim 9. However, claim 9 is a method that is already implemented by a computer therefore there is nothing that further limits claim 9 in either claim 21-22. claims 21,22 should be rewritten in independent form.

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***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 50 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 50 is directed towards 50 is directed towards a system that locates dvd metadata, displays metadata that may be associated with the dvd and associates the metadata with the dvd. Because the metadata may be associated with the media content or it may not be claim 50 lacks a useful, concrete and tangible result. Claim 50 specifically lacks a concrete result because if the dvd may not be associated with the dvd then the system of claim 50 in essence becomes unpredictable.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-8,23-30, 32,34 and 36-38, 40, 42 and 44-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 20040175159 (hereinafter Oetzel) in view of US 6925474 (hereinafter McGrath).-

As for claim 1 Oetzel discloses: opening media content that is stored on a DVD (See paragraph 0021 lines 4-8 note that opening dvd to determine the amount of free space means opening the dvd); determining a DVD ID associated with the DVD (See paragraph 0032 and paragraph [0072] note that the "egg" of the dvd contains id information); causing a user interface to be presented to a user, the user interface configured to: display DVD metadata that is associated with the DVD ID in the database (See paragraph 0062); and receive an indication of the user's acceptance of the DVD metadata that is displayed (See paragraph 0023 note that user has to enter an confirm metadata "if desired");, such that the DVD metadata is associated with the DVD ID in the local media library (See paragraph 0064 and note egg contains metadata stored with unique serial number).

While Oetzel does discloses storing the DVD metadata that is displayed in a local media library maintained in memory associated with the computing system and separate from the DVD, and searching a database that contains DVD metadata based on the DVD ID the disclosure is not explicitly indicated. McGrath however does explicitly disclose storing the DVD metadata that is displayed in a local media library maintained in memory associated with the computing system and separate from the DVD (See column 3 lines 44-50) and searching a database that contains DVD metadata based on the DVD ID (See column 4 lines 30-33). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teachings of McGrath into the system of Oetzel. The modification

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would have been obvious because downloading the metadata content of a dvd requires both computing power and time, and storing the metadata locally saves even more time and computing power (See Oetzel paragraph 0006).

As for claim 3, the rejection of claim 1 is incorporated, and further McGrath discloses submitting the DVD ID to a server computer system; and receiving search results from the server computer system (See column 3 lines 42-46).

As for claim 4, the rejection of claim 3 is incorporated, and further McGrath discloses: wherein the search results comprise XML-formatted DVD metadata (See column 5 lines 13-16).

As for claim 5, the rejection of claim 1 is incorporated, and further Oetzel discloses: wherein the DVD metadata that is displayed comprises: a DVD title (See paragraph [0069]; and a first chapter title (See paragraph [0091]).

As for claim 6, the rejection of claim 5 is incorporated, and further Oetzel discloses: DVD metadata that is displayed further comprises at least one of: a performer name (See paragraph [0084]).

As for claim 7, the rejection of claim 1 is incorporated, and further Oetzel discloses One or more computer-readable media having computer-readable instructions

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thereon which, when executed by a computer, cause the computer to implement the method as recited in claim 1 (See Figure 1 and note that servers must have computer readable instructions on them to carry out the steps of claim 1 or else the computer perform the steps of claim 1).

As for claim 8, the rejection of claim 1 is incorporated, and further Oetzel discloses A media player application configured to perform the method as recited in claim 1 (See paragraph [0033] note media player is performing task).

As for claim 23 Oetzel discloses: opening media content that is stored on a DVD (See paragraph 0021 lines 4-8 note that opening DVD to determine the amount of free space means opening the DVD); determining a DVD ID associated with the DVD (See paragraph 0032 and paragraph [0072] note that the "egg" of the DVD contains id information); receiving an indication of a user request to associate user-submitted DVD metadata with the DVD; (See paragraph 0023 note that user has to enter an confirm metadata "if desired" also note that information is associated with a particular DVD because menus have to be dynamically allocated); causing a user interface to be presented to the user to enable user submission of DVD metadata, receiving via the user interface, user-submitted DVD metadata (See lines 13-17 of paragraph [0038]

While Oetzel does not explicitly disclose searching a database that contains DVD metadata based on the DVD ID, storing the DVD metadata that is displayed in a local

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media library maintained separate from the DVD. McGrath however does explicitly disclose searching a database that contains DVD metadata based on the DVD ID (See column 3 lines 44-50); storing the DVD metadata that is displayed in a local media library maintained separate from the DVD (See column 3 lines 44-50) It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teachings of McGrath into the system of Oetzel. The modification would have been obvious because downloading the metadata content of a dvd requires both computing power and time, and storing the metadata locally saves even more time and computing power (See Oetzel paragraph 0006).

As for claim 24, the rejection of claim 23 is incorporated, and further Oetzel discloses: wherein the user-submitted dvd metadata comprises information pertaining to the dvd (See paragraph 0023 and note that all music guide is an interface).

As for claim 25, the rejection of claim 23 is incorporated, and further Oetzel discloses: wherein the user-submitted DVD metadata comprises a DVD title and a first chapter title (See paragraph [0069]; and a first chapter title (See paragraph [0091]).

As for claim 26, the rejection of claim 23 is incorporated, and further McGrath discloses: further comprising storing the user-submitted DVD metadata in a user feedback data repository (See column 7 lines 1-5 note the object database stores notes).



As for claim 27, the rejection of claim 26 is incorporated, and further, McGrath discloses: formatting the DVD metadata that is displayed according to an XML schema (See column 5 lines 17-20); and transmitting formatted DVD metadata to a server computer system for storage in the user feedback data repository (See column 7 lines 1-5 note the object database stores notes).

As for claim 28, the rejection of claim 23 is incorporated, and further Oetzel discloses One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to implement the method as recited in claim 23 (See Figure 1 and note that servers must have computer readable instructions on them to carry out the steps of claim 1 or else the computer perform the steps of claim 1).

As for claim 29, the rejection of claim 23 is incorporated, and further Oetzel discloses: A media player application configured to perform the method as recited in claim 23 (See paragraph [0033] note media player is performing task).

As for claim 30, Oetzel discloses opening media content that is stored on a DVD (See paragraph 0021 lines 4-8 note that opening DVD to determine the amount of free space means opening the DVD); determining a DVD ID associated with the DVD (See paragraph 0032 and paragraph [0072] note that the "egg" of the DVD contains id information); causing a user interface to be presented to a user, the user interface

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configured to: display DVD metadata that is associated with the DVD ID in the database (See paragraph 0062); receive an indication of a user request to modify the DVD metadata that is displayed; enable the user to modify the DVD metadata that is displayed; and receive user-modified DVD metadata (See lines 1-5 of paragraph [0026]) and receive an indication of the user's acceptance of the user-modified DVD metadata (See paragraph 0023 note that user has to enter a confirm metadata "if desired" also note that information is associated with a particular DVD because menus have to be dynamically allocated).

While Oetzel does disclose searching a database that contains DVD metadata based on the DVD ID, and storing the user-modified DVD metadata in a local media library such that the user-modified DVD metadata is associated with the DVD ID the disclosure is not explicitly indicated. McGrath however does explicitly disclose searching a database that contains DVD metadata based on the DVD ID (See column 4 lines 30-33) and storing the user-modified DVD metadata in a local media library such that the user-modified DVD metadata is associated with the DVD ID (See column 3 lines 44-50). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of McGrath into the system of Oetzel. The modification would have been obvious because downloading the metadata content of a DVD requires both computing power and time, and having a searchable database for DVD metadata will facilitate retrieval (See Oetzel paragraph 0006).

As for claim 32, Oetzel discloses: determining a DVD ID associated with a particular DVD (See paragraph 0032 and paragraph [0072] note that the "egg" of the DVD contains id information) causing a user interface to be presented to a user, the user interface configured to: display DVD metadata that is identified as being associated with the DVD ID in a data repository of DVD metadata (See column 6 lines 53-55 and 60-61), and receive an indication of a user's acceptance of the displayed DVD metadata (See paragraph 0023 note that user has to enter an confirm metadata "if desired" also note that information is associated with a particular DVD because menus have to be dynamically allocated).;

Oetzel differs from the claimed invention in that attempting to identify DVD metadata associated with the DVD ID, and maintaining the DVD metadata that is displayed in a local media library, such that the DVD metadata is associated with the DVD ID is not explicitly indicated. McGrath however, does disclose attempting to identify DVD metadata associated with the DVD ID (See column 6 lines 7-10), and maintaining the DVD metadata that is displayed in a local media library, such that the DVD metadata is associated with the DVD ID (See column 3 lines 44-50). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teaching of McGrath into the system of Oetzel. The modification would have been obvious because identifying the DVD metadata by ID allows for a user to view that information with minimal input.

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As for claim 34, the rejection of claim 32 is incorporated, and further Oetzel discloses wherein the attempting comprises performing a search based on the DVD ID against a data repository that stores DVD metadata (See column 7 lines 1-5 note the object database stores notes).

As for claim 36, the rejection of claim 32 is incorporated, and further Oetzel discloses: maintaining the DVD metadata that is displayed in a user feedback data repository (See column 7 lines 1-5 note the object database stores notes).

As for claim 37, the rejection of claim 32 is incorporated, and further McGrath discloses: attempting to identify DVD metadata associated with the DVD based on the search criteria (See column 6 lines 7-10).

As for claim 38, the rejection of claim 37 is incorporated, and further Oetzel discloses: wherein the search criteria comprises at least a portion of a DVD title. (See paragraph [0076] note that the egg information can be used to open the disc).

As for claim 40, the rejection of claim 32 is incorporated, and further McGrath discloses maintaining the user –submitted DVD metadata that is entered by the user in the local media library, such that the user-submitted DVD is associated with the DVD ID (See column 3 lines 44-50).

As for claim 42, the rejection of claim 32 is incorporated, and McGrath discloses: maintaining the user-modified DVD metadata in the local media library, such that the user-modified DVD metadata is associated with the DVD 1D (See column 3 lines 44-50).

As for claim 44, the rejection of claim 32 is incorporated, and further Oetzel discloses One or more computer-readable media having computer-readable instructions thereon which, when executed by a computer, cause the computer to implement the method as recited in claim 32 (See Figure 1 and note that servers must have computer readable instructions on them to carry out the steps of claim 1 or else the computer perform the steps of claim 1).

As for claim 45, the rejection of claim 32 is incorporated and further Oetzel discloses: A media player application configured to perform the method as recited in claim 32 (See paragraph [0033] note media player is performing task).

As for claim 46, Oetzel discloses: a Wizard UI configured to enable a user to select DVD metadata to be associated with the media content, the DVD metadata to be stored in the media library. (See paragraph 0023 and note that all music guide is an interface).

Oetzel differs from the claimed invention in that a media player application stored in the memory, and executed on the processor for playing media content stored on a

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DVD, and a media library stored in the memory, separate from the DVD for maintaining DVD metadata associated with the media content are not explicitly disclosed. McGrath however, discloses: a media player application stored in the memory and executed on the processor for playing media content stored on a DVD (See paragraph [0033] note media player is performing task); a media library stored in the memory, separate from the DVD for maintaining DVD metadata associated with the media content (See column 3 lines 44-50); and a Wizard UI configured to enable a user to select DVD metadata to be associated with the media content, the DVD metadata to be stored in the media library. It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teaching of Oetzel into the system of McGrath. The modification would have been obvious because a wizard interface simplifies the application for the user.

As for claim 47, the rejection of claim 46 is incorporated, and further Oetzel discloses: wherein the Wizard UI is further configured to enable a user to submit user-entered DVD metadata to be associated with the media content in the media library (See lines 1-4 of paragraph 0026 "open DVD form and figure 7).

As for claim 48, the rejection of claim 46 is incorporated, and further Oetzel discloses: wherein the Wizard UI is further configured to enable a user to modify DVD metadata to be associated with the media content (See lines 1-4 of paragraph 0026 "open DVD form)

As for claim 49, the rejection of claim 46 is incorporated, and further Oetzel disclose wherein the Wizard U1 is further configured to enable a user to submit search criteria to be used to identify DVD metadata that may be associated with the media content (See paragraph 0026 and figure 29 "means for searching").

As for claim 50 Oetzel discloses; means for locating DVD metadata that may be associated with the media content based on the DVD ID; and means for displaying the DVD metadata that may be associated with the media content to a user (See paragraph 0064 "on screen descriptive").

Oetzel differs from the claimed invention in that means for generating a DVD ID based on media content stored on the DVD, and means for associating the dvd metadata with the media content in a local media library maintained separate from the DVD is not explicitly indicated. McGrath however, does disclose means for generating a DVD ID based on media content stored on the DVD (See column 4 lines 33-36 UMID has 64 bytes based on DVD), and means for associating the dvd metadata with the media content in a local media library maintained separate from the DVD(See column 3 lines 44-50). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teachings of Oetzel into the system of McGrath. The modification would have been obvious because by generating the DVD id from content on the DVD will ensure that for each unique DVD you get a unique id.

As for claim 51, the rejection of claim 50 is incorporated, and further McGrath discloses means for locating DVD metadata that may be associated with the media content based on user-submitted search criteria. (See column 3 lines 47-50).

As for claim 52, the rejection of claim 50 is incorporated, and further Oetzel discloses means for enabling a user to submit DVD metadata to be associated with the media content.

As for claim 53, the rejection of claim 50 is incorporated, and further Oetzel discloses: means for enabling a user to modify DVD metadata that is associated with the media content ; and means for associating user-modified D'VD metadata with the media content in the local media library (See lines 3-6 of paragraph [0028]).

As for claim 54, the rejection of claim 50 is incorporated, and further McGrath discloses means for enabling user selection of DVD metadata to be associated with the media content (See column 6 lines 53-58); and means for associating user-selected DVD metadata with the media content in the local media library (See column 4 lines 65-68).

As for claim 55, McGrath discloses: perform a search based on the search criteria, the search returning a set of metadata that may be associated with the media



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content (See column 6 lines 30-34) and associate at least a portion of the metadata that is returned with the DVD in a media library maintained separate from the DVD (See column 3 lines 44-50).

McGrath differs from the claimed invention in that extract search criteria from media content stored on a DVD is not explicitly indicated. Oetzel however, does disclose: extract search criteria from media content stored on a DVD (See paragraph [0112] "Selecting name from the play list screen"). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of Oetzel into the system of McGrath. The modification would have been obvious because using the metadata to extract the search criteria for finding and opening the DVD content makes the system more flexible for the user

As for claim 56, the rejection of claim 55 is incorporated and further McGrath discloses: receive user-submitted search criteria; and perform a search based on user-submitted search criteria, the search returning one or more sets of metadata that satisfy the user-submitted search criteria (See column 5 lines 13-16).

As for claim 57, the rejection of claim 55 is incorporated, and further McGrath differs from the claimed invention in that instructions which, when executed, cause a computer system to display a Wizard UI that enables a user to modify the metadata that is returned is not explicitly indicated. Oetzel however, discloses instructions which,

when executed, cause a computer system to display a Wizard UI that enables a user to modify the DVD metadata (See paragraph 0023 and note that all music guide is an interface).

As for claim 58, the rejection of claim 55 is incorporated, and further Oetzel discloses: provide a Wizard UI that enables a user to select at least a portion of the metadata that is returned to be associated with the DVD in the media library; (See paragraph 0023 and figure 5).

As for claim 59, the rejection of claim 55 is incorporated and further McGrath discloses: receive user-submitted metadata to be associated with the DVD in the media library; and associate the user-submitted DVD metadata with the DVD in the media library (See paragraph 0023 note that user has to enter a confirm metadata "if desired" also note that information is associated with a particular DVD because menus have to be dynamically allocated).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oetzel and McGrath as applied to claim 1 above, and further in view of US 6701478 (hereinafter Yang).

As for claim 2, Oetzel discloses bits stored on the DVD (See paragraph 0065 note that information is stored in bits). Oetzel and McGrath do not explicitly indicate

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generating a 64-bit cyclical redundancy check. Yang however does disclose generating a 64-bit cyclical redundancy check (See column 2 lines 18-21 and column 3 lines 54-57). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teaching of Yang into the system of Oetzel and McGrath. The modification would have been obvious because you do not want to errors in the transmission of data and that is the reason for basing the check on the bits on the dvd.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oetzel and McGrath as applied to claim 32 above, and further in view of US 6701 478 (hereinafter Yang).

As for claim 33, the rejection of claim 32 is incorporated, and further Oetzel discloses bits stored on the DVD (See paragraph 0065 note that information is stored in bits). Oetzel and McGrath do not explicitly indicate generating a 64-bit cyclical redundancy check. Yang however does disclose generating a 64-bit cyclical redundancy check (See column 2 lines 18-21 and column 3 lines 54-57). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teaching of Yang into the system of Oetzel and McGrath. The modification would have been obvious because you do not want to errors in the transmission of data and that is the reason for basing the check on the bits on the DVD.

***Response to Arguments***

Applicant's arguments filed 2/13/2007 have been fully considered but they are not persuasive.

**Applicant argues:**

Applicant respectfully traverses the 1010 rejection of claim 50. the office contend that claim 50 fails to provide a useful concrete and tangible result. Applicant respectfully disagrees. The useful concrete and tangible result of claim 50 is the local media library maintained separate from a DVD in which DVD metadata is associated with media content that is stored on the DVD. The local media library provides a user with local access to metadata associated with one or more DVDs that the user has accessed. On these grounds, Applicant respectfully request that the 101 rejection of claim 50 be withdrawn.

**Examiner responds:**

Examiner is not persuaded. For the eligibility analysis under 35 U.S.C. 101 claims must have a practical application that produces a useful concrete and tangible result. The word and is conjunctive meaning the claim must be useful in addition to being concrete and tangible. In this case claim 50 fails to meet the concrete requirement. Claim 50 states that there is a means for displaying DVD metadata that

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may be associated with the media content. In other words the metadata also may not be associated with the media content. Indeed this interpretation of claim 50 is consistent with the specification, specifically paragraph 0007. If the user determines that the metadata is not associated with the DVD then claim 50 is then unpredictable and hence not concrete. (See MPEP section 2106).

**Applicant argues:**

Applicant essentially argues for all claims that neither Oetzel) nor McGrath teach or suggest "storing the DVD metadata that is displayed in a local media library maintained in memory associated with the computing system and separate from the dvd.

**Examiner responds:**

Examiner is not persuaded. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. Interpretation of Claims- Broadest Reasonable Interpretation During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). In this case applicant focuses on the fact that McGrath discloses searching of one or more databases accessible via the internet, however the only requirements in

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the claim is that it is displayed in a local media library and is maintained in memory associated with the computing device. In this case a memory that is accessed even via the internet is associated with the computing system by virtue of their internet connection.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH  
Leon J. Harper  
April 30, 2007

  
MOHAMMAD ALI  
PRIMARY EXAMINER